

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PALM BEACH DIVISION**
Case No.: 9:22-cv-81961-AMC

JONATHAN LEE REIGROD,
An Individual,

Plaintiff,

v.

GARBER DELRAY INC.,
d/b/a DELRAY BUICK GMC,
A Florida Corporation,

Defendant.

ATTORNEY JOSHUA FEYGIN'S AFFIDAVIT
IN SUPPORT OF ATTORNEY'S FEES AND COSTS

Joshua Feygin states upon his oath and under the penalty of perjury that he is competent to testify and makes this Declaration based upon personal knowledge, and, if called upon to testify, would testify as follows:

1. I submit this declaration to provide the Court with my qualifications in support of the amount of attorney's fees and costs sought herein.
2. I received my B.A. from Florida International University in 2013.
3. I graduated from Florida International University School of Law in 2016 and was admitted to the Florida Bar in 2016.
4. I am admitted to practice in the State Bar of Florida, the Federal District Court of the Southern District of Florida, Middle District of Florida,

Northern District of Florida, Eastern District of Michigan, the District of Colombia and the State Bar of Vermont.

5. My practice is predominately focused on the representation of consumers under consumer protection statutes.

6. During my career, I have successfully resolved several hundred individual consumer law claims both in state court and through arbitration.

7. I am a member of the National Association of Consumer Advocates since 2018.

8. I am presently serving on the steering committee for the 2023 Spring Training Conference of the National Association for Consumer Advocates for the Auto Fraud Track.

9. I presented as a guest speaker at the 2022 Florida Bar Consumer Protection Law Committee Seminar on Auto Fraud.

10. I have been called upon and quoted by various news media outlets to provide expert insight into auto fraud matters. Some notable appearances are listed below.

- Ron Hurtibsie, Auto-related fraud is rampant in Florida. Here's how to avoid getting taken,<https://www.sun-sentinel.com/business/fl-bz-florida-third-worst-for-auto-scams-20210427-f57v2y37wfa7zhlx6rfe5pzcty-story.html>, April 27, 2021.
- Ron Hurtibsie, How to avoid falling victim to South Florida's online car sales scams, <https://www.sun-sentinel.com/business/money/fl-bz-car-scams-ss-prem-20210228-cpfbypxtija43epkte4ej4drmi-story.html>,

February 28, 2021.

- Michelle Quesada, Car leaseholder struggles to exercise buyout agreement terms, <https://www.wptv.com/money/consumer/car-leaseholder-struggles-to-exercise-buyout-agreement-terms>, February 13, 2022.
- Jeff Weinsier, Car dealerships continue to engage in illegal malpractice with fees, dealer says, <https://www.local10.com/news/local/2022/05/20/car-dealerships-continue-to-engage-in-illegal-malpractice-with-fees-attorney-says/> May 20, 2022.
- Jackie Callaway, Vehicle owners getting hit with sticker shock when attempting to buy out lease, <https://www.abcactionnews.com/money/consumer/taking-action-for-you/vehicle-owners-getting-hit-with-sticker-shock-when-attempting-to-buy-out-lease>, August 17, 2022.
- Ron Hurtibsie, Car dealers accused of price-gouging customers who exercise option to buy leased vehicles, <https://www.sun-sentinel.com/business/fl-bz-car-dealers-lease-buy-out-fees-20221112-yauo46l6brbyvhpn63ri4ufhiy-story.html> November 12, 2022.
- Ron Hurtibsie, Complaints about auto-lease buyout fees prompt subpoenas from state Attorney General, <https://www.sun-sentinel.com/business/fl-bz-lease-buy-out-costly-confusion-20221121-odunffuvkbc7hdmi4bs5skycq-story.html>, November 21, 2022.
- Michelle Quesada, Service fees can quickly add up for car buyers. Here's what to do, <https://www.wptv.com/marketplace/automotive/service-fees-can-quickly-add-up-for-car-buyers-heres-what-to-do>, January 12, 2023.

11. Moreover, I have been retained by numerous car dealerships throughout the State of Florida as special counsel for consumer compliance consulting and loss mitigation analysis, such as South Motors Automotive Group; South Motor Company of Dade County; Pompano Imports, Inc. d/b/a

Vista Motor Company; and, Midway Mall, Inc., d/b/a Midway Ford, to name a few.

12. According to the 2017-2018 United States Consumer Law Attorney Fee Report, the median attorney rate for lawyers in South Florida who handle car cases is \$400.

13. I expended 16.7 hours in the prosecution of this action inclusive of an estimated 0.2hrs for the filing and submission of the Plaintiff's Motion for Default Final Judgment and Proposed Order.

14. Of the 16.7 hours, 2 hours were for administrative or secretarial work which was reduced to \$100/hour for a total of \$200.

15. The remaining 14.7 hours of incurred time was for substantive legal work.

16. Furthermore, I have advanced \$432.00 in hard costs during the prosecution of this action as set forth in my time and cost log attached hereto as Exhibit "A."

17. I certify that all of the time entries submitted were required in the prosecution of this claim, and that my time was kept contemporaneously during the course of this action as reflected in Exhibit A.

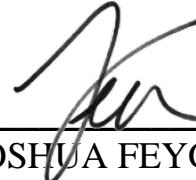
18. On July 11, 2021, the Honorable County Court Judge Chiaka Ihekwaba awarded the undersigned a rate of \$300 per hour as a reasonable hourly

rate. Maria Diaz Pizzaro, et al., v. Matrix Auto Sales Inc., et al., 29 Fla. L. Weekly Supp. 340a.

19. Given the above, \$350.00/hour is a reasonable hourly rate for my efforts for a total of \$5,145.00 for substantive legal work performed and \$200.00 for administrative work for a total of \$5,345 in reasonable attorney's fees for the prosecution of this action along with \$432.00 in taxable costs.

VERIFICATION

I, Joshua Feygin, under penalties of perjury, declare that I have read the foregoing Affidavit and that the facts stated in it are true.



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Dated: February 9, 2023

EXHIBIT A

Date	Description	Hours	\$ / Hour	Amount
10/17/2022	Client intake, legal research and review of 15 U.S.C. § 1667.	0.7	\$ 350.00	\$245.00
10/20/2022	Preparation and issuance of retainer to client for electronic execution via DocHub.	0.2	\$ 100.00	\$20.00
10/23/2022	Review of retainer to ensure properly completed by Client. File prep, calendaring of statute of limitations deadline.	0.5	\$ 100.00	\$50.00
12/20/2022	Preparation of jury instructions.	1.8	\$ 350.00	\$630.00
12/20/2022	Preparation of initial discovery (Requests for Production- 1.1hr and Requests for Admissions- 1.3hr).	2.4	\$ 350.00	\$840.00
11/8/2022	Preparation of Complaint, compiling and redacting exhibit.	1.1	\$ 350.00	\$385.00
12/20/2022	Preparation of summons inclusive of researching Defendant's registered agent. Locating situs of R/A to confirm R/A will be accessible during statutory hours.	0.4	\$ 350.00	\$140.00
12/20/2022	Preparation of corporate disclosure/certificate of interested parties including research into same via SUNBIZ.	0.6	\$ 350.00	\$210.00
12/20/2022	Preparation of Civil Cover Sheet	0.2	\$ 350.00	\$70.00
12/21/2022	Email to cocounsel [REDACTED]. Revisions that followed. Final review of initial pleadings. Review of local rules for filing requirements. Determining proper division to file case in. Initiation of lawsuit.	0.6	\$ 350.00	\$210.00
12/21/2022	Review of filed complaint and attachments.	0.3	\$ 350.00	\$105.00
12/21/2022	Review of issued summons. Dispatch to process server for service of process upon Defendant.	0.4	\$ 100.00	\$40.00
12/21/2022	Review of Notice of Assignment of Judge Judge Aileen M. Cannon and U.S. Magistrate Judge Bruce E. Reinhart. Notation in file to meet & confer w/ OC upon appearance re: consent to magistrate.	0.2	\$ 350.00	\$70.00
12/23/2022	Review of return of service of process. Filing return of service with court. Calendaring of Defendant's deadline to respond with reminders.	0.4	\$ 100.00	\$40.00
1/18/2023	Review of calendar notification re: expiration of Defendant's responsive deadline; review of docket for return of service to confirm; preparation and filing of Motion for Clerk's Default as to Defendant Delray Buick GMC	0.3	\$ 350.00	\$105.00
1/18/2023	Review of Clerk's Entry of Default as to GARBER DELRAY INC.	0.1	\$ 350.00	\$35.00
1/19/2023	Update email to Client [REDACTED].	0.1	\$ 100.00	\$10.00
1/20/2023	Followup email from Client [REDACTED] [REDACTED]	0.2	\$ 100.00	\$20.00
1/20/2023	Review of ORDER ON DEFAULT FINAL JUDGEMENT PROCEDURE	0.3	\$ 350.00	\$105.00
1/20/2023	Setting deadline in calendar for Motion for Default Judgment	0.2	\$ 100.00	\$20.00
1/21/2023	Review of Notice of Appearance of Co-counsel, Darren Newhart	0.1	\$ -	\$0.00
2/3/2023	Initial drafting of Motion for Default Judgment inclusive or preliminary research into same.	1.3	\$ 350.00	\$455.00
2/8/2023	Supplemental drafting of Motion for Default Judgment, additional research inclusive of review of Local Rule 7.1(a)(2), retention of Attorney R. Murphy as expert re: reasonableness of attorney's fees and costs. Preparation of proposed order.	3.2	\$ 350.00	\$1,120.00
2/8/2023	Preparation of affidavit of damages on behalf of Plaintiff and issuance of same for execution.	0.4	\$ 350.00	\$140.00
2/8/2023	Preparation of and execution of affidavit in support of attorney's fees.	0.5	\$ 350.00	\$175.00
2/9/2023	Filing of Motion for Default; submission of proposed Order [ESTIMATED]	0.2	\$ 350.00	\$70.00
COSTS				
12/21/2022	Filing fee.			\$402.00
12/21/2022	Service of process fee.			\$30.00

Total Hours	16.7
Billable	\$5,345.00
Total Costs	\$432.00
TOTAL	\$ 5,777.00